IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16115 of 2004

Between:

Vijayawada Kerosene Retail Dealers Welfare Association,

(Regd.No.7/2003) Door No.26-11-12, Gynanliv
Veedhi, Gandhinagar, Vijayawada-520 003,

rep. by its President M.Bhasker Reddy,

S/o.Late Para Reddy
aged about 46 years, R/o.Vijayawada, Krishna District.

..... PETITIONER

AND

1 The Joint Collector, Krishna District, At Machilipatnam.
2 The Sub Collector, Krishyna District at Vijayawada.
3 The Revenue Divisional Officer Vijayawada, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ order or direction more particularly on in the nature of writ of mandamus, declaring the action of the respondents in not considering the representations submitted by the petitioner on 3-8-2004 and 7-8-2004 as illegal, arbitrary, discriminatory and violative of Articles 19 and 21 of the Constitution of India and consequently direct the respondent authorities to supply the minimum quota of 2800 litres to each Kerosene hawker in Circle 1 and 2 of Vijayawada City, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.PALLE NAGESWAR RAO

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following :

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ORDER:

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This writ petition is filed questioning the alleged inaction on the part of the respondents in considering the representations made by the petitioner-association on 03-08-2004 and 07-08-2004 requesting to supply the quota of 2800 litres of kerosene allotted to the members of the petitioner-association as arbitrary and illegal.

The case of the petitioner is that since the members of its Association, who are all Kerosene Hawkers, are not getting proper income out of the sale of kerosene quota allotted to them, they have been requesting to increase the quota. On the basis of the representations made by it, the Assistant Supply Officer, Circle-I, Vijayawada, by letter dated 18-08-2004 has already submitted the necessary report to the 1st respondent-Joint Collector, Krishna District. However, the 1st respondent failed to pass any order so far. Hence, this writ petition.

Heard the learned counsel for the petitioner-association and the learned

Government Pleader for Civil Supplies appearing on behalf of the respondents.

Having regard to the facts and circumstances of the case, without expressing any opinion with regard to the entitlement of the petitioner-association for allotment of the Kerosene as sought by it, the writ petition is disposed of, with a direction to the 1st respondent to consider the representations made by the petitioner-association dated 03-08-2004 and 07-08-2004 and to pass appropriate orders in accordance with law, as expeditiously as possible, preferably, within a period of two weeks from the date of receipt of a copy of this order. No costs.

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09-09-2004

Note: Issue C.C in two days.

B/o.

vs

To

1 The Joint Collector, Krishna District, At Machilipatnam.
2 The Sub Collector, Krishyna District at Vijayawada.
3 The Revenue Divisional Officer Vijayawada, Krishna District.

4 Two CCs to the G.P. for Civil Supplies, High Court Buildings, Hyderabad(O.U.T).

5 Two CD copies.